

*Plain talk. Exceptional expertise.*

MACKENZIE HUGHES LLP

September 10, 2018

**VIA ELECTRONIC FILING**

Hon. Andrew T. Baxter  
U.S. Magistrate Judge  
Federal Building and U.S. Courthouse  
P.O. Box 7396  
Syracuse, NY 13261-7396

Re: Tennyson v. City of Syracuse, et al.  
Civil Action No.: 5:16-CV-0929

Dear Judge Baxter:

This will report on the status of discovery as directed in the Court's August 20, 2018 Text Order.

Our office has received the unsealed Syracuse Police Department reports concerning the matter at issue, which have been redacted pursuant to the County Court's Order. We are in the process of copying the remainder of the documents and other evidence that will accompany Defendants' supplemental disclosures, and expect to have same in the mail by the end of this week.

On September 5, 2018 Attorney Hunt and I spoke to Attorney Lichtmacher about remaining discovery. Mr. Lichtmacher reports that his office is currently in the process of preparing papers necessary to the initiation of an Estate for Gary Porter. We are told that the process has been complicated by the fact that Mr. Porter died intestate, and the need to identify and locate the numerous individuals that must be served. Attorney Lichtmacher is in a better position to explain those particulars. Attorney Lichtmacher estimates it will be at least three months before the Onondaga County Surrogate appoints an Administrator for the Estate. He intends to file suit on behalf of the Estate thereafter.

LORRAINE RANN MERTELL  
ATTORNEY AT LAW  
DIRECT DIAL: (315) 233-8282  
EMAIL: LMERTELL@MACKENZIEHUGHES.COM

MACKENZIE HUGHES TOWER  
440 S. WARREN ST., SUITE 400  
SYRACUSE, NY 13202

PHONE: (315) 474-7571  
FAX: (315) 474-6409

WWW.MACKENZIEHUGHES.COM

*Plain talk. Exceptional expertise.*

MACKENZIE HUGHES LLP

Hon. Andrew T. Baxter  
September 10, 2018  
Page 2



The parties are in agreement that depositions in the Tennyson case should await the filing of the Porter case, and that depositions in the two cases should be conducted together. We would be glad to discuss the situation in further detail if the Court desires a conference call.

Very truly yours,

MACKENZIE HUGHES LLP

A handwritten signature in blue ink, appearing to read 'Lorraine Rann Mertell'.

Lorraine Rann Mertell

LRM/mad

cc: All Counsel of Record (*Via Electronic Filing*)